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Counsel for Defendant HUMBERTO VARELA

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	
)	No. CR 12-00751 SBA (KW)
Plaintiff,)	
)	STIPULATION AND PROPOSED
v.)	ORDER CONTINUING STATUS
)	DATE; EXCLUSION OF TIME
)	
HUMBERTO VARELA,)	
Defendant.)	
)	

STIPULATION

IT IS HEREBY STIPULATED, by and between the parties to this action, that the status date in the above-referenced case, currently set for March 7, 2013, at 9:30 a.m. before Magistrate Judge Kandis Westmore for status, may be continued to March 14, 2013, at 9:30 a.m. for status. The reason for the request is that defense counsel needs additional time to review discovery with Mr. Varela and continue with the investigation. Counsel is also discussing a proposed disposition with the government. It is further stipulated that time should be excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv) between March 7, 2013, and March 14, 2013, for effective preparation taking into account due diligence so defense counsel

can meet with Mr. Varela and also continue with the investigation in this case.

DATED: 2/28/13

/s/

JOYCE LEAVITT

Attorney for Humberto Varela

DATED: 2/28/13

/s/

ANDREW HUANG

Assistant United States Attorney

I hereby attest that I have permission of the parties to enter a conformed signature (/s/) for all signatures within this e-filed document.

ORDER

GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the status date in the above-referenced case, currently set for March 7, 2013, at 9:30 a.m. before Magistrate Judge Kandis Westmore for status, is hereby continued to March 14, 2013, at 9:30 a.m. for status.

IT IS FURTHER ORDERED that time be excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv) between March 7, 2013, and March 14, 2013, for effective preparation taking into account due diligence so defense counsel can meet with Mr. Varela with the assistance of an interpreter and also continue with the investigation in this case. The Court finds that there is good cause and that the ends of justice served by the granting of the continuance outweigh the best interests of the public and the defendant in a speedy and public trial and the failure to grant the requested continuance would unreasonably deny counsel the reasonable time necessary for effective preparation, taking into account due diligence.

SO ORDERED.

DATED: 2/28/13



MAGISTRATE KANDIS WESTMORE

United States Magistrate Judge